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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

GAINER et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

TC/A.U.: 1621

Filed: August 25, 2003

Examiner: Deborah D. Carr

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

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May 13, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the following.

Applicant is submitting the attached Office Action from the Polish Patent Office dated February 23, 2010, which applicant is filing with the USPTO within three months of its receipt. No prior art is cited in the Office Action, but a unity of invention type objection/rejection is lodged. The Polish Office Action was received by applicant in applicant's Polish Patent Application No. P-373780 based on PCT/US03/05521. According to applicant's Polish associate, an English translation of the objection/rejection reads as follows:

The scope of the requested protection should be univocally and specifically defined. According to current version of patent claims, the present invention concerns many different categories (a compound, a method of solubilizing a BTCS, a method of increasing the diffusivity of oxygen in a mammal, a method of treating, a method of saponifying a symmetrical diester, an inhaler, a method of converting an isomeric mixture of dialdehydes, a method of enhancing performance of a mammal), suggesting a lack of unity of the invention.

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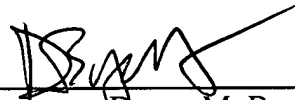
The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached has been considered and made of record.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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